

**Board of Selectmen's Meeting Minutes**  
**May 31, 2007**  
**Harpswell Town Office**  
Approved on June 14, 2007

Page 1 of 5

**Selectmen Present:** Amy N. Haible, James S. Henderson and Chairman Samuel W. Alexander

**Staff Present:** Kristi K. Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator and William Wells, Code Enforcement Officer

**Call to Order and Pledge of Allegiance:** The meeting was called to order by Chairman Alexander at 6:30 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

**1. Adoption of the Agenda:** Chairman Alexander moved, seconded by Selectman Haible to amend the agenda and add item 4a: Brush and wood disposal; and item 14a: Election appointments; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Henderson to adopt the agenda as amended; motion passed 3-0.

**2. Town Administrator's Report:** Administrator Eiane reminded the public that FEMA will be at the Town Office tomorrow from 8:00 am to 6:00 pm to assist individuals with their claims for uninsured loss due to the Patriot's Day storm. Administrator Eiane reported that the Town needs to obtain written agreements that allows the Town to make handicap improvements to the three voting sites (Merriconeag Grange, Orr's Island Community Building and Cundy's Harbor Community Building) and is working with the State for a grant to help assist with the cost of those improvements. Administrator Eiane thanked Marguerite Kelly, Town Treasurer, for all of her efforts assisting residents with applying for the State of Maine Property Tax and Rent Refund Program. Administrator Eiane announced the Town has been awarded a \$65,000 grant from the Cumberland County Development Block Grant to develop a revolving loan/grant program to assist families of low to moderate income in Harpswell with replacing failing septic systems. Administrator Eiane stated the Defense Logistics Agency has awarded a contract to GZA of Portland, Maine to survey the pipeline. The Town will send letters to property owners notifying them that they may see GZA employees on the pipeline easement area. Naji Akladiss of DEP stated that he has been informed the pipeline will be removed, the only question is when.

**3. Selectmen's Announcements:** Chairman Alexander announced on Saturday, June 2 at 4:30 p.m. there is a guided hike on the Cliff Trail and encouraged the public to attend. Selectman Haible encouraged the public to attend the Mitchell Field Planning Forum on June 6 at 6:30 p.m. at Harpswell Islands School. Selectman Henderson reported that he received a response from the Public Utilities Commission regarding the high occurrence of power outages in Harpswell. The PUC considers these issues seriously and is establishing performance measures for companies to provide better services.

**4. Old Business:** There was no old business discussed.

**4a. Brush and Wood Disposal:** Selectman Haible explained she received a call from a property owner who just returned on Memorial Day weekend concerned about the free brush disposal at the Transfer Station ending June 1. Selectman Haible moved, seconded by Chairman Alexander to allow free brush disposal from the Patriot's Day Storm from June 15 to June 30; motion passed 3-0.

**5. Report from Harpswell School Board Members:** Joanne Rogers reported that if school consolidation occurs, SAD 75 may not have to consolidate as it is operating efficiently but may be subject to a 50% cut in State funding which will have to be replaced by local funding. Ms. Rogers encouraged everyone to vote on the school budget on June 12. Dee Carrier reported that Mt. Ararat High School seniors are required to complete a

college application before graduation. The application can be for any program and will be held on file at the school for the student's use at a later time. Of 231 seniors graduating, less than 10 have refused to complete the application which is unfortunate as it should be seen as an opportunity. David Johnson reported that the District has received grants including \$15,000 from the United Way for the school based healthcare center; \$7,000 to support junior achievement programs; two different excellence and school health grants (each \$2,000). Mr. Johnson stated that the District has just reviewed email issues and other policy matters. Mr. Johnson announced there is a 50<sup>th</sup> anniversary celebration of Harpswell Islands Elementary School tomorrow.

## 6. Mitchell Field Update

- **Mitchell Field Committee:** Judith Redwine, chair of Mitchell Field Committee, encouraged the public to attend the first Mitchell Field Planning Forum on June 6, the second on June 26 and the community design workshop on July 15. All at Harpswell Islands School.
- **Harpswell Festival Mowing Request:** Administrator Eiane reported the Town has received a written request from the Harpswell Festival Committee to mow inside the gate at Mitchell Field and that last year there was some confusion regarding this same issue. In the end, the Town paid a bill for approximately \$700. Administrator Eiane explained the Board needs to review the request and consider whether the Town should mow for an entity and if so, does the Town mow for any entities. The Board agreed the Town should pay for mowing maintenance inside Mitchell Field and if an entity wants to do more then it can do so at its expense. Chairman Alexander moved, seconded by Selectman Haible to spend up to \$1,000 on mowing areas inside Mitchell Field; motion passed 3-0. Selectman Henderson suggested that a policy may be necessary at a later time such as budget time.
- **Report on Insurance Matters:** Administrator Eiane reported that she and Bill Wells met with a loss control consultant Jeff Gibson from Massamont Insurance Company which provides the Town's property and liability insurance for Mitchell Field. Administrator Eiane reviewed the general recommendations made by Mr. Gibson, including erecting "No Trespassing" signs on multiple locations on the pier, on the fence around the water tower and on all of the buildings. Mr. Gibson did not believe a fence on the pier was necessary. Selectman Henderson questioned whether the loss consultant viewed the area under the fence where people use to go to the beach, Administrator Eiane responded he had not. Selectman Haible moved, seconded by Chairman Alexander to adopt the signage recommendations as outlined and to request the Codes Office to investigate the area under the fence and report back; motion passed 3-0.

**7. Toxicologist Report Regarding Mitchell Field:** Eric Frohberg, State Toxicologist, showed a power point presentation regarding the safety status and risks at Mitchell Field. Essentially, Mr. Frohberg stated that there is a greater cancer risk in one's home due to radon than at Mitchell Field. Mr. Frohberg declared that if 100,000 people lived on site at Mitchell Field for 24 hours a day for 30 years, maybe one person would have a cancer risk. Naji Akladiss of DEP also confirmed that Mitchell Field is safe. Mr. Frohberg suggested anyone with questions could contact him at 1-866-292-3474 or at [ehu@maine.gov](mailto:ehu@maine.gov).

## 8. Wharf Applications

- **Stan Weliever, Map 21, Lot 45, 2330 Harpswell Islands Road:** Bill Wells, Code Enforcement Officer, presented the application and stated the wharf will serve four small condominiums and there were no adverse comments regarding the proposal. Selectman Haible moved, seconded by Chairman Alexander to approve the application as it does not cause an unreasonable hazard to navigation and does not affect the rights of others; motion passed 3-0.
- **John Solak, Map 47, Lot 119, 9 Sweet Haven Lane:** Bill Wells, Code Enforcement Officer, presented the application and stated there were no adverse comments regarding the proposal. Chairman Alexander questioned whether there was clearance between the ramp and low water to allow public passage. Mr. Forester, representative, responded there was enough clearance. Chairman Alexander moved, seconded

by Selectman Haible to approve the application as it does not cause an unreasonable hazard to navigation and does not affect the rights of others; motion passed 3-0.

- **Normand Lauze, Map 40, Lot 86, 14 Totman Point Road:** Bill Wells, Code Enforcement Officer, reported that since this proposal is totally seasonal, a DEP permit is not required and that although it is located in a narrow channel, it does not cause a navigable issue. Mr. Wells stated he received the application before the March 10 Town Meeting but that it was not reviewed until after that date. Mr. Wells explained the Subdivision Ordinance was amended at the March 10 Town Meeting to require lots in a subdivision to share a common wharf and not allow individual wharves. The issue is that Mr. Lauze is located within a subdivision. Chairman Alexander questioned how this proposal is different from the earlier proposal that was denied. Mr. Wells responded that it has been moved to the southeast and is located within an indentation where the channel is wider. The Board agreed this application is not subject to the subdivision criteria as it was received before March 10. Selectman Haible moved, seconded by Chairman Alexander to approve the application as it does not cause an unreasonable hazard to navigation and does not affect the rights of others; motion passed 3-0. The Board discussed and agreed the Subdivision Ordinance language regarding common docks needs to be made clearer.

**9. Town Lands Committee Report:** Melinda Richter, Co-Chair of the Town Lands Committee, reviewed and requested that certain maintenance and legal issues be followed up on with Town landings and Town owned properties. Kristi Eiane, Town Administrator, and Terri Sawyer, Deputy Town Administrator, will continue to work on the recommendations and other points raised by the Town Lands Committee. Ms. Richter thanked Bernice Kenney and Lee Overall for their service to the Town Lands Committee.

**10. Recreation Committee and Conservation Commission Survey Report:** Tony Barrett and Don Miskell from the Recreation Committee and Mary Ann Nahf from the Conservation Commission made a power point presentation showing the results of the Recreation and Open Space Survey. (Report attached as further reference).

**11. Consider Designating a Municipal Official to Authorize Use of Emergency Signals:** Administrator Eiane explained state statute allows a designee of the Selectmen to authorize volunteer use of lights in their vehicles while going to a call. The Fire Chief also signs and approves the individual use and has the ability to revoke. Chairman Alexander moved, seconded by Selectman Haible to authorize the Town Administrator to sign Authorization for Use of Flashing Signals with Approval from Fire or Rescue Chief; motion passed 3-0.

**12. Open Bids for Replacement of Overboard Discharge System:** Chairman Alexander opened the bids received to replace an overboard discharge system as follows: RA Webber \$28,550 plus a \$2,000 pump cost; Tupper Construction \$17,436 plus a \$500 pump cost; Davis Construction \$21,895; JR Hill \$32,340 plus a \$3,000 pump cost; Skillins \$15,240 plus a \$1,000 pump cost. Chairman Alexander moved, seconded by Selectman Haible to approve the Skillins bid for the Garrett/Crerar system pending DEP approval, but in the case that DEP does not approve the lowest bid we authorize approval of the next lowest bid pending DEP approval; motion passed 3-0.

**13. Open Bids for Replacement of Failing Septic System:** Chairman Alexander opened the bids received to replace a failing septic system as follows: RA Webber \$20,450; Tupper Construction \$19,525; Davis Construction \$20,455; JR Hill \$28,600 plus a note for an additional \$5,000 for ledge removal; Skillins \$16,190. Selectman Haible moved, seconded by Selectman Henderson to approve the Skillins bid for the system pending DEP approval, but in the case that DEP does not approve the lowest bid we authorize approval of the next lowest bid pending DEP approval; motion passed 3-0.

#### 14. Committees

- **Assignments:** Chairman Alexander moved, seconded by Selectman Haible to appoint Anne Perry to the Conservation Commission for a three-year term; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to appoint John Perry to the Board of Appeals for a three-year term; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Henderson to appoint Spike Haible, Prescott McCurdy, Anita Veilleux and Jay Dwyer to the Solid Waste Committee; motion passed 2-0 (Selectman Haible abstained). Selectman Haible moved, seconded by Selectman Henderson to appoint Burr Taylor to the Budget Advisory Committee; motion passed 3-0. Selectman Haible moved, seconded by Selectman Henderson to appoint Scott Moody to the Harbor and Waterfront Committee for a three-year term; motion passed 2-1 (Chairman Alexander opposed).
- **Mission Statements:** Selectman Haible read and moved, seconded by Chairman Alexander to approve the Harbor and Waterfront Committee mission statement; motion passed 3-0. Selectman Haible read and moved, seconded by Selectman Henderson to approve the Pipeline Committee mission statement; motion passed 3-0. Chairman Alexander read and moved, seconded by Selectman Henderson to approve the Conservation Commission mission statement. Chairman Alexander withdrew his motion and moved, seconded by Selectman Henderson to approve the 7/20/04 and 8/15/06 mission statement; motion passed 3-0. Selectman Haible read and moved, seconded by Chairman Alexander to approve the Affordable Housing Committee mission statement; motion passed 3-0. Selectman Henderson read and moved, seconded by Chairman Alexander the Comprehensive Plan Implementation Committee mission statement and objectives; motion passed 3-0. Selectman Haible stated she believes the CPIC needs to seek funding to obtain outside expertise regarding proposed ordinance changes. Both Administrator Eiane and Louise Huntington, from the CPIC, believed there is \$5,000 available in the Planner's budget that can be used for this purpose. Selectman Henderson moved, seconded by Selectman Haible to change the name of the Cable Advisory Committee to Communications Advisory Committee and approve the mission statement. Andy Paulhus, from the Committee, stated there should be one change to the mission statement to say to start franchise negotiations as it is not due for renewal until 2008. Selectman Henderson made the change and the motion passed 3-0. (Approved mission statements attached as further reference).

**14a. Election Appointments:** Chairman Alexander moved, seconded by Selectman Henderson to appoint Lou Brown, Marilean Johnson and Thomas Rothwell as Deputy Wardens and Janet Coombs, Megan Hubbard and Susan Lowery as Wardens for the June 12 election; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Henderson to appoint Nancy Andersen, Anne Anderson, Sandra Bichrest, Kelsi Eiane, Douglas Johnson, Linda Johnson, Bernice Kenney, James Knight, Debora Levensailor, Rodney Moody, Stephanie Rogers, Maureen Saxton, Dorothy Skillin, Melissa Smith, Sally Theberge, Karen Watson, Robert Weil and Stacy Welner as Election/Ballot Clerks; motion passed 3-0.

**15. Consider Date for Non-resident Property Taxpayer Meeting:** Administrator Eiane explained this is the third annual meeting for non-resident property taxpayers which is typically held on the Friday before July 4 and therefore recommended June 29 at 1:00 p.m. Liz Bouve, Recreation Director, asked if it could be held at West Harpswell School due to Camp Harpswell at Harpswell Islands School. Chairman Alexander moved, seconded by Selectman Henderson to set June 29 at 1:00 p.m. as the time for the meeting with the place to be determined; motion passed 3-0.

**16. Consider Abatement Request:** Chairman Alexander moved, seconded by Selectmen Haible to grant an abatement in the amount of \$38,700 of assessed value (\$230.27 refund amount) to Rockland Trust for Map 59, Lot 7 due to an error as it was not the owner of taxable property in Harpswell in 2006; motion passed 3-0.

**17. Sign Special Town Meeting Warrant for June 12, 2007:** Chairman Alexander moved, seconded by Selectman Haible to adopt and sign the Special Town Meeting warrant for June 12; motion passed 3-0.

**18. Sign SAD 75 Warrant for June 12, 2007:** Chairman Alexander moved, seconded by Selectman Henderson to sign the SAD 75 warrant for June 12; motion passed 3-0.

**19. Authorization of the Warrant:** Kristi Eiane, Town Administrator recommended approval of Warrants 27 and 28 and Payroll Warrant 24. Chairman Alexander moved, seconded by Selectman Haible to approve Warrant 27 for \$106,624.53; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to approve Warrant 28 in an amount not to exceed \$1,300; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to approve Payroll Warrant 24 in the amount of \$14,089.65; motion passed 3-0.

**20. Approval of the Minutes:** Chairman Alexander moved, seconded by Selectman Henderson to approve the minutes of May 10 as printed; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to approve the minutes of May 14 as printed; motion passed 3-0. Selectman Henderson moved, seconded by Selectman Haible to approve the minutes of May 25 as printed; motion passed 3-0.

**21. Public Comment:** Liz Bouve, Recreation Director, stated she will be looking to increase adult program offerings while maintaining the high participation in the child offerings. Ms. Bouve requested the Town support the Harpswell Festival in any way possible.

**22. Adjournment:** Chairman Alexander moved to adjourn. The meeting was adjourned by unanimous vote at 9:55 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Recreation and Open Space Survey Report  
Committee Mission Statements